

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BRAINWAVE SCIENCE, INC.,

Plaintiff,

VS.

ARSHEE, INC., DR. LAWRENCE A. FARWELL,
DR. THIERRY MAISON AND BRAIN
FINGERPRINTING FOUNDATION.

Defendant

Civil Action No.: 21-cv-4402 – BMC-RLM

**ACKNOWLEDGMENT OF THE EXTENSION TO
THE NOTICE TO COMPEL DISCOVERY**

I Thierry Maison acknowledge the extension given by Magistrate Judge Roanne L. Mann on Motion to Compel Discovery and re-submit the information requested for the discovery and access methods for such material.

DEFENDANT Dr. Thierry Maison, referred to below as the “disclosing party,” hereby submits the following disclosures following Fed. R. Civ. P. 26 (“Rule 26”) 2 Plaintiff’s Initial Disclosures Under Fed. R. Civ. P.

Rule 26(a)(1)(A)(i) - The name and, if known, the address and telephone number of each individual likely to have discoverable information – along with the subjects of that information – that the disclosing party may use to support his or her claims or defenses unless the use would be solely for impeachment.

Name of Individual Likely to have Discoverable Information	Contact Information (Address and Telephone Number)	Subject Matter of Discoverable Information
Thierry Maison	7 Gloucester Drive Franklin, MA 02038 508-395-1069	Software development based on Microsoft Visual Studio (connected to the DevOps code repository). Notes on software project
Microsoft Cloud	Microsoft Corporation, One Microsoft Way, Redmond, WA 98052-6399.	Microsoft Azure DevOps Location of the software code. Accessible to anybody with the given permission.

	At various locations around the world. Changes with time and network availability.	
CGX, LLC	8445 Camino Santa Fe, Suite 213, San Diego, CA 92121 858-864-9400	Shipment information for commercial EEG headsets relating to the subject IP from Defendants

Rule 26(a)(1)(A)(ii) - A copy – or a description by category and location – of all documents, electronically stored information, and tangible things that the disclosing party has in his or her possession, custody, or control and may use to support his or her claims or defenses unless the use would be solely for impeachment. (Please note that the disclosing party may either produce the documents, electronically stored information, and tangible things or fill in the table below.

Description by Category of Document, Electronically Stored Information, or Tangible Thing	Description by Location of Document, Electronically Stored Information, or Tangible Thing
Software Code repository	Microsoft Azure DevOps cloud service. Accessible by the Defendant via Visual Studio
Documentation on Farwell Brain Fingerprinting software project.	7 Gloucester Drive Franklin, MA 02038
Commercial CGX, LLC EEG headsets	7 Gloucester Drive Franklin, MA 02038
Brain Fingerprinting Laptop	7 Gloucester Drive Franklin, MA 02038

As part of the discovery process, you will need to access the location where the code was developed. This location is a cloud-based environment created by Microsoft.

It is commonly referred to as a Source Code Control System (SCCS) [[Source Code Control System - Wikipedia](#)].

The present Microsoft SCCS is an evolution of Teams Foundation Server (TFS) and is now called DevOps. [[Azure DevOps Server - Wikipedia](#)]

The project has a website address: <https://dev.azure.com/NeuroDyneLabs>

This repository can be accessed by two methods, using a web browser to get an overview of the project and more specifically using Visual Studio to access the code and its history. [[Visual Studio: IDE and Code Editor for Software Developers and Teams \(microsoft.com\)](#)].

Microsoft maintains a security mechanism for accessing code repositories. A user needs to be authenticated and be authorized by the repository owner. You will receive an invitation by email generated by Microsoft.

Ownership of this repository can be transferred to you, giving you full control or disposition of the project repository.

The files related to the software development will be placed in a Google drive repository and will be shared with a user of the same email.

Access to the Google Drive is at [BrainFingerprinting - Google Drive](#)

The product of this software development consists of executable programs that were exclusively communicated with Dr. Lawrence Farwell and nobody else.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by email to
pault@pfllaw.com Opposing Counsel

Dated this 30 of March 2022.

06 May

Thierry Maison